

ILLINOIS POLLUTION CONTROL BOARD
January 23, 1992

IN THE MATTER OF:)
)
JOINT PETITION OF THE VILLAGE) PCB 85-212
OF MORTON AND THE ILLINOIS) (Combined Sewer
ENVIRONMENTAL PROTECTION AGENCY) Overflow Exception)
FOR EXCEPTION TO COMBINED SEWER)
OVERFLOW REGULATIONS)

ORDER OF THE BOARD (by R.C. Flemal):

This matter comes before the Board upon filing by the Village of Morton ("Morton") on November 27, 1991 of a motion to modify Board Order. On January 8, 1992 the Illinois Environmental Protection Agency ("Agency") filed a response requesting that the motion be granted. On January 9, 1992 the Board issued an order noting that facts asserted in the motion are not of record and were not supported by affidavit as required by the Board's procedural rules. On January 21, 1992 Morton filed an affidavit attesting to the facts at issue.

Pursuant to the joint petitioners' request, the Board on May 9, 1986 (69 PCB 417) granted Morton an exception to the Board's combined sewer overflow regulations. Among the requirements associated with that grant was chlorination of excess flows at Morton's Plant 2, as found in condition 1(a):

- a. The Village shall provide excess flow treatment at Plant 2 for all excess flows reaching the plant, consisting of primary treatment followed by chlorine contact, including flow measurement and sampling . . . (69 PCB 422, emphasis added.)

Petitioners now request that the chlorination requirement be deleted. All other conditions of the grant of exception have been met.

The petitioners observe that other actions taken under the grant of exception have caused the volume of overflows at Plant 2 to be lower than originally expected. They also observe that the receiving stream, Prairie Creek, is of the nature that disinfection of the excess overflows is of questionable benefit and could even have an adverse effect on the stream. The Agency adds that complying with the chlorination requirement appears to be technically infeasible and that the cost of the constructing the necessary facilities would outweigh the benefits.

The Board has observed that chlorination is a practice that must be applied selectively and involves a weighing of the relative risks to human health and the physical environment. (e.g., In the Matter of: Amendments to Subtitle C: Water Pollution. Fecal Coliform and Seasonal Disinfection (June 30, 1988), R85-29, 90 PCB 635.) More recently, in a situation similar in many particulars to that faced by Morton, the Board found that the chlorination of CSOs should not be practiced by the City of Jacksonville. (In the matter of: Petition of the City of Jacksonville for adjusted standard from 35 Ill. Adm. Code 306.305(b) (August 9, 1990), AS 90-1, 114 PCB 137).

In view of these considerations, the motion to modify condition 1(a) of the Board's grant of exception in this matter by deleting the phrase "followed by chlorine contact" is hereby granted.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 23rd day of January, 1992, by a vote of 5-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board